

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT G. LACK aka  
ROBERT LACK,

Defendant.

No. CV-09-5050-JPH

ORDER ADOPTING REPORT AND  
RECOMMENDATION TO GRANT MOTION FOR  
ENTRY OF STIPULATED CONSENT  
JUDGMENT

(Ct. Rec. 4)

BEFORE THE COURT is the magistrate judge's report (Ct. Rec. 4) recommending granting defendant's motion for entry of a stipulated consent judgment (Ct. Rec. 3). Assistant United States Attorney Frank A. Wilson represents plaintiff. Defendant is pro se. The parties have not consented to proceed before a magistrate judge. The magistrate judge's report was filed October 20, 2009 (Ct. Rec. 4). Objections to the report were due November 5, 2009. To date, no objections have been filed.

On September 22, 2009, the parties stipulated to entry of consent judgment in favor of plaintiff in the amount of **\$11,498.35** as of December 17, 2008, against defendant Robert G. Lack, by reason of defendant's default in payments toward federally insured student loans. (Ct. Rec. 3.) Defendant stipulated the debt shall not be discharged in any future bankruptcy filing. (Ct. Rec. 3-2 at 1.)

ORDER ADOPTING REPORT  
AND RECOMMENDATION

1 Defendant further stipulated he will be liable for all future costs in  
2 this action (Ct. Rec. 3-2 at 1-2) including:

3 1. Court filing fees in the amount of \$350.00 pursuant to 28  
4 U.S.C. § 2412(a)(2); plus

5 2. Docket fees in the amount of \$20.00 pursuant to 28 U.S.C.  
6 § 1923; and

7 3. United States Marshal's Service fees for service of process  
8 pursuant to 28 U.S.C. § 1921. (Ct. Rec. 3-2, 3-3.)

9 **The parties further stipulated** that interest at the current legal  
10 rate will accrue upon entry of Judgment and will be compounded  
11 annually until paid in full pursuant to the provisions of 28 U.S.C. §  
12 1961(b).

13 After considering the record, including the magistrate judge's  
14 report recommending (**Ct. Rec. 4**) granting defendant's motion for entry  
15 of stipulated consent judgment (Ct. Rec. 3), and no objections having  
16 been filed, the Court **adopts the report and recommendation (Ct. Rec.**  
17 **4) in its entirety.** Consent judgment shall be entered as set forth in  
18 the stipulated consent judgment (Ct. Rec. at 3-3).

19 The District Court Executive is directed to enter this order,  
20 enter consent judgment in favor of plaintiff against defendant,  
21 forward copies to the parties, and CLOSE THE FILE.

22 DATED this 22nd day of December, 2009.

23 s/Robert H. Whaley

24 ROBERT H. WHALEY  
25 UNITED STATE DISTRICT JUDGE

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